

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MIKE SHALES, <i>et al.</i> ,)	
)	
Plaintiffs,)	CIVIL ACTION
)	
v.)	NO. 10 C 7328
)	
L.M. JOHNSON AND SON'S SERVICES, INC.,)	JUDGE HARRY D. LEINENWEBER
an Illinois corporation,)	
)	
Defendant.)	

MOTION FOR ENTRY OF JUDGMENT

Plaintiffs, by and through their attorneys, default having been entered against the Defendant on January 6, 2011, request this Court enter judgment against Defendant, L.M. JOHNSON AND SON'S SERVICES, INC. In support of that Motion, Plaintiffs state:

1. On January 6, 2011, this Court entered default against Defendant and granted Plaintiffs' motion for an order directing Defendant to turn over its monthly fringe benefit contribution reports for June 2010 through December 2010. The Court also entered an order that judgment would be entered after Plaintiffs determined the amounts due and owing from Defendant.

2. On January 14, 2011, Plaintiffs' counsel received a letter from Defendant dated January 11, 2011 and the company's monthly fringe benefit contribution reports for June 2010 through December 2010. The contribution reports show that the Defendant is delinquent in contributions to the Funds for the month of June 2010 in the amount of \$1,783.24. (See Affidavit of Patricia M. Shales).

3. The amount of \$178.32 is due for liquidated damages for June 2010. (Shales Aff. Par. 4(b)).

4. In addition, a liquidated damages surcharge has been assessed against the Defendant in the amount of ten (10%) percent of all contributions due and unpaid and all contributions which were paid late, for the months of April 2010 and May 2010, in the total amount of \$696.70 (Shales Aff. Par. 5).

5. Finally, Plaintiffs' firm has expended costs of \$435.00 and \$947.25 in attorneys' fees in this matter. (See Affidavit of Catherine M. Chapman).

6. Based upon the documents attached hereto, Plaintiffs request entry of judgment in the total amount of \$4,040.51.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment in the amount of \$4,040.51.

/s/ Beverly P. Alfon

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CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Motion for Entry of Judgment) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 1st day of February 2011:

Ms. Stephanie A. Johnson, Registered Agent/President
L.M. Johnson and Son's Services, Inc.
45W725 Beith Road
Maple Park, IL 60151

/s/ Beverly P. Alfon

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